

KBI News Conference
Director Larry Welch
June 5, 2003

In February of this year, we discovered what appears to have been a simple, but serious mistake in an old investigation that may have had tragic consequences. I ordered an internal review and it now appears that in October, 1991, a piece of evidence regarding Douglas S. Belt was inadvertently mislabeled. That mistake may well have led to a significant delay in several related investigations. While the mistake was described in court pleadings in April and would eventually become public, our initial internal review has been completed and Attorney General Phill Kline has asked me to make our findings public at this time.

It should be emphasized that Mr. Belt has not been convicted of any charge related to this matter and is presumed innocent of all charges at this time.

The mistake occurred during the processing by the KBI of an item of evidence in October, 1991. At that time, the KBI, with other Kansas law enforcement agencies, was deeply involved in the investigation of several rapes in central and western Kansas. While it is somewhat difficult to determine exactly what happened almost 12 years ago, the error appears to have been caused when a blood sample taken from another individual was mistakenly marked as being from Douglas S. Belt, during processing at the KBI laboratory. As a result, the wrong sample was submitted to the FBI for analysis under Belt's name and the resulting negative response caused the investigation to focus on other individuals.

Unfortunately, in law enforcement, unlike other professions, when we make a mistake, even the clerical error variety of mistake, justice can be frustrated and delayed, or even thwarted, and innocent citizens may suffer, sometimes terribly and tragically.

In the KBI we routinely expect excellence and we expect success. This time we fell short of those expectations.

We take no consolation in the fact that this error occurred almost 12 years ago and occurred prior to our national accreditation and the quality assurance policies and procedures adopted therein.

Our heart goes out to the victims and the families of the victims in this matter. Victims are always our top priorities in investigations and prosecutions. Therefore, words like apology, regret, unfortunate, sorrow and contrition are woefully inadequate and inappropriate today.

The bottom line, sadly, is that our mistake in 1991 may have contributed to a situation which permitted a suspect to remain free and to continue criminal activity.

I emphasize this was a clerical error, not an error in DNA.

KBI agents and prosecutors in the various cases have been contacting the victims of cases that arose after the error to convey my apology. While, obviously, the criminal who committed the crimes, whoever he is, is primarily responsible for the suffering caused, it is possible that we could have prevented some of those crimes, had the mistake not been made.

There is absolutely no evidence to suggest that this mistake has in any way affected any other past, or pending, prosecutions, or any other unrelated investigations conducted by the KBI or other Kansas law enforcement.

All indications are that this is an isolated human error on this one piece of evidence. Nevertheless, we are conducting a complete file review on the employee involved to verify that this was in fact a unique, isolated, simple human error.

As an accredited forensic laboratory, the KBI is also conducting a complete quality assurance review on the incident and an audit of all procedures involved. The KBI will immediately invite external accreditation inspectors to assist in this audit.

Fortunately, many things have already changed in the intervening years to make certain that we have minimized the possibility of such an error occurring again. Chief among these was the national accreditation of the KBI's forensic laboratory in 1998. Accreditation required the KBI to adopt several scientific protocols, supervision and peer review procedures that now minimize the chances of human error. Furthermore, thanks to a Bureau of Justice Assistance Edward Byrne Federal Grant, next month the KBI is installing a Laboratory Information Management System (LIMS). LIMS is an automated state-of-the-art system wherein bar codes are attached to each piece of evidence as they arrive, and the computer system tracks all activities involving that particular evidence.

Make no mistake. The men and women of the KBI are among the best in the Kansas and U.S. criminal justice systems. But even the very best are imperfect. Our collective heart, throughout the KBI, is heavy today.

To the extent permitted by law, I will attempt to answer your questions.